
**CUMBERLAND COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/23/2128/0F1
2.	Proposed Development:	REPLACE EXISTING WINDOW WITH NEW DOOR AND SIDE LIGHT.
3.	Location:	43 MAIN STREET, EGREMONT
4.	Parish:	Egremont
5.	Constraints:	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, Coal - Off Coalfield - Data Subject To Change, Outer Consultation Zone - Sellafield 10KM
6.	Publicity Representations & Policy	Neighbour Notification Letter: YES Site Notice: YES Press Notice: YES Consultation Responses: See report Relevant Planning Policies: See report
7.	Report:	<p>SITE AND LOCATION</p> <p>This application relates to the ground floor of 43 Main Street, a shop which is located in a prominent location within the centre of the Egremont Conservation Area.</p> <p>The property is a three-storey terraced property which has a rendered front with sash windows in plain surrounds, a slate roof and gable chimney stacks. It is typical of Main Street and makes a positive contribution to the character and appearance of the Conservation Area,</p>

as well as the settings of nearby heritage assets. It is a non-designated heritage asset.

PROPOSAL

Planning Permission is sought for the replacement of an existing window with a new door, side light and stepped access.

The new door will provide a separate entrance to the proposed post office which is to be relocated from elsewhere within the town centre, New signage is to be installed which will reflect both the existing Egremont Travel bureau de change and the proposed Post Office shop. This is governed by the Advertisement Regulations and so is not considered as part of this planning application.

The proposed door will measure 1960 mm high and 1150 mm wide and it will be a traditional painted timber door and frame to match existing with side light and raised render surround.

Internal changes are proposed as part of the use of the premises including a new partition wall to separate the existing bureau de change and the proposed post office entrance.

RELEVANT PLANNING APPLICATION HISTORY

There have been several previous planning applications at the property:

- CHANGE OF USE AND EXTENSION TO FORM BAR INCLUDING, W.C. PROVISION (ref: 4/01/0652/0);
- ALTERATIONS TO APPROVED SCHEME FOR EXTENSION AND, CHANGE OF USE (ref: 4/02/0488/0);
- CHANGE OF USE OF FORMER PUBLIC HOUSE TO RESIDENTIAL (ref: 4/12/2256/0F1);
- CHANGE OF USE FROM RESIDENTIAL (C3) TO FINANCIAL AND PROFESSIONAL USE (A2) (ref: 4/15/2308/0F1).

CONSULTATION RESPONSES

Egremont Town Council

No objections and would like to emphasise Councillors fully support this application and they feel the importance of supporting a business looking to house a vital service outweighs other matters such as design and signage etc.



Cumberland Council

Highway Authority

Standing Advice.

Lead Local Flood Authority

Standing Advice.

Conservation Officer

No objections.

Public Representation

The application has been advertised by way of press notice, site notice and neighbour notification letters issued to 2 properties – No comments have been received.

PLANNING POLICIES

Planning law requires applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Development Plan

On 1st April 2023, Copeland Borough Council ceased to exist and was replaced by Cumberland Council as part of the Local Government Reorganisation of Cumbria.

Cumberland Council inherited the local development plan documents of each of the sovereign Councils including Copeland Borough Council, which combine to form a Consolidated Planning Policy Framework for Cumberland.

The inherited local development plan documents continue to apply to the geographic area of their sovereign Councils only.

The Consolidated Planning Policy Framework for Cumberland comprises the Development Plan for Cumberland Council until replaced by a new Cumberland Local Plan.

Copeland Local Plan 2013 – 2028 (Adopted December 2013):

Core Strategy

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Policy ER7 – Principal Town Centre, Key Service Centres, Local Centres and other service areas: Roles and Functions

Policy ER9 – The Key Service Centres, Local Centres and other small centres

Policy SS4 – Community and Cultural Facilities and Services

Policy ENV4 – Heritage Assets

Development Management Policies (DMP)

Policy DM6B – Primary Retail Frontages

Policy DM10 – Achieving Quality of Place

Policy DM22 – Accessible Developments

Policy DM27 – Built Heritage and Archaeology

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

Cumbria Development Design Guide

Conservation Area Design Guide SPD December 2017 (CADG)

Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA)

Emerging Copeland Local Plan (ELP):

Cumberland Council are continuing the preparation and progression to adoption of the emerging Copeland Local Plan 2017-2038.

The emerging Copeland Local Plan 2017-2038 comprising the Publication Draft (January 2022) and Addendum (July 2022) have recently been examined by the Planning Inspector and their report on the soundness of the plan currently remains awaited.

As set out at Paragraph 48 of the National Planning Policy Framework (NPPF), Local Planning Authorities may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan; the extent to which objections to relevant policies have been resolved; and the degree to which emerging policies are consistent with the NPPF.

Given the stage of preparation of the emerging Copeland Local Plan 2017-2038 some weight can be attached to policies where no objections have been received or objections have been resolved. The Publication Draft (January 2022) and Addendum (July 2022) provides an indication of the direction of travel of the emerging planning policies, which themselves have been developed in accordance with the provisions of the NPPF.

The following policies are relevant to this proposal:

Policy DS1PU – Presumption in favour of Sustainable Development

Policy DS6PU – Design and Development Standards



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Strategic Policy R1PU – Vitality and Viability of Town Centres and villages within the Hierarchy

Strategic Policy R4PU – The Key Service Centres

Strategic Policy BE1PU – Heritage Assets

Policy BE2PU – Designated Heritage Assets

Policy BE4PU – Non-Designated Heritage Assets

ASSESSMENT

The key issues raised by this proposal are the principle of development, its scale and design, the potential impacts on heritage assets, access and highway safety.

Principle of development

The proposal is located within Egremont Town Centre and Policy ST2 supports moderate levels of development within Egremont to contribute to the regeneration of the town centres. Policy ER7 reflects Egremont's role as a Key Service Centre within the Borough which seeks to protect and enhance the services and facilities and Policy ER9 encourages retail and service sector provision within the defined boundaries.

Given the location of the site within the centre of one of the Borough's Key Service Centres, the development is considered to be acceptable in principle.

Policy SS4 also seeks to protect and enhance important services. The Local Planning Authority is supportive of the new access door which will serve and enhance a key business premises on the high street.

On this basis, the principle of the development is therefore considered to be acceptable and the development satisfies Policies ST2, ER7, ER9 and SS4 of the Local Plan and the NPPF guidance.

Scale and Design

Policy ST1 and section 12 of the NPPF seek to promote high quality designs. Policy DM10 and seek to ensure developments are of an appropriate scale and design which is appropriate to their surroundings and do not adversely affect the amenities of adjacent dwellings.

The proposal is considered to be modest in scale and it will ensure a key service is maintained within Egremont. The design and materials will be in keeping with the character and appearance of the existing building. Although not a consideration of this application the updated signage is considered to improve its external aesthetics.

On this basis, the proposal is considered to be of a suitable scale and design in accordance with Policy DM10 of the Copeland Local Plan.

Heritage Impacts

Policy ENV4 and DM27 seek to protect the built heritage and maximise the value. DM27 supports development proposals which protect, conserve and where possible enhance the historic and cultural architectural character of the Borough's historic sites and their settings.

The Listed Building and Conservation Areas Act sets out a clear presumption that gives considerable importance and weight to the desirability of preserving a heritage asset and its setting.

Section 72 of the LBCA requires that in considering whether to grant planning permission for development which affects a conservation area, the Local Planning Authority shall pay "special attention... to the desirability of preserving or enhancing the character of appearance" of the conservation area.

Paragraphs 189 – 208 of the NPPF in respect of heritage include a requirement that when considering the impact of development proposals on designated heritage assets such as a conservation area, great weight should be given to the conservation of the asset's significance; however, less than significant harm should be weighed against the public benefits of a development.

The site is located within Egremont Conservation Area and the Conservation and Design Officer confirmed he is supportive of the principle of the proposal which will retain an important service on the high street.

The works requires the removal of a ground floor sash window that appears to date to 2002 or shortly thereafter and its replacement with a door.

It is considered that the loss of the window in exchange for a door, and addition of stepped access, through diluting the domestic appearance of the building, would have a small negative impact on its significance. However, this is outweighed by the benefit of retaining a post office on the high street, the creation of a more active frontage close to the historic Market Place, the good quality detailing of the new elements. Although it does not form part of the application the replacement signage will also enhance the appearance.

On balance, the Conservation Officer raised no objections to the proposal and therefore it is considered to meet Policy DM27(A) and DM27(C), thereby satisfying the duties set out in the LBCA.

Access and Highway Impacts

Policy DM22 requires developments to be accessible to all users and encourages innovative



Cumberland Council

	<p>approaches to manage vehicular access and parking to avoid vehicles dominating the street scene.</p> <p>The proposed door will measure 1960 mm in height and 1150 mm in width which will be suitable for disabled access. The pavement level is lower than the new premises floor level and there is not sufficient width across the frontage to allow for a disabled ramp. On this basis, a single 300mm wide step will be provided to the frontage to reduce the vertical lift into the building in two equal risers. Given the restrained site and limited alternate options, the step access is considered to be acceptable to increase accessibility.</p> <p>In addition, the site is located within close proximity to a number of parking facilities within the town and other sustainable transport links and therefore the proposal is unlikely to have a material impact on the existing highway conditions.</p> <p>Overall, the proposal is considered to be acceptable in terms of accessibility and highway impacts and satisfies Policy DM22 of the Copeland Local Plan.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The proposal seeks to replace an existing shop window with a new door, side light and access step.</p> <p>The application is suitably located within Egremont Town Centre and the proposed additional access door will allow the post office to be accommodated within the building which will support the maintenance and enhancement of a key service within Egremont. The replacement door is of a suitable design and it will not have a significant impact on highway safety or the character and appearance of either the Conservation Area or nearby heritage assets.</p> <p>On balance, the proposal is considered to be an acceptable form of development which accords with the guidance set out in the NPPF and the adopted Local Plan.</p>
8.	<p>Recommendation: Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <ol style="list-style-type: none">1. The development hereby permitted must commence before the expiration of three years from the date of this permission. <p>Reason</p> <p>To comply with Section 91 of the Town and Country Planning Act 1990 as amended</p>

by the Planning and Compulsory Purchase Act 2004.

2. This permission relates to the following plans and documents as received on the respective dates and development must be carried out in accordance with them: -

Application Form, received 4th May 2023;
Site Location Plan, scale 1:1250, drawing no. 23/0378/1, received 4th May 2023;
Existing Floor Plans, scale 1:50, drawing no. 23/0378/1, received 4th May 2023;
Proposed Floor Plan, scale 1:50, drawing no. 23/0378/2 Rev B, received 4th May 2023;
Proposed Threshold Detail, scale 1:10, drawing no. 23/0378/2 Rev B, received 4th May 2023;
Existing and Proposed Elevations, scale 1:50, drawing no. 23/0378/3 Rev A, received 4th May 2023.

Reason

To conform with the requirement of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

Case Officer: C. Unsworth

Date : 21/06/2023

Authorising Officer: N.J. Hayhurst

Date : 26/06/2023

Dedicated responses to:- N/A